



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,319	09/11/2003	Stephen Baldwin	19185 (27839-1293)	5393
45736 7590 11/26/2008 Christopher M. Goff (27839) ARMSTRONG TEASDALE LLP ONE METROPOLITAN SQUARE SUITE 2600 ST. LOUIS, MO 63102				
EXAMINER ANDERSON, CATHARINE L				
ART UNIT 3761		PAPER NUMBER		
NOTIFICATION DATE 11/26/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USpatents@armstrongteasdale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: STEPHEN BALDWIN, DUANE G. KRAZYSIK
and BOZENA NOGAJ

Application No. 10/660,319
Technology Center 3700

Mailed: November 25, 2008

Before Deborah L. Perry, Supervisory Paralegal Specialist, Review Team.
Perry, Supervisory Paralegal Specialist, Review Team.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

SUPPLEMENTAL EXAMINER'S ANSWER

APPROVAL BY TECHNOLOGY CENTER DIRECTOR

The Supplemental Examiner's Answer mailed June 26, 2008, is deficient, because it was not signed by the Technology Center Group Director or his designee. Section 1207.05 Of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 3, August 2005) states that "[e]very supplemental examiner's answer must be approved by a Technology Center (TC) Director or designee." Correction is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner for:

- 1) to vacate the Supplemental Examiner's Answer dated June 26, 2008, issue a Supplemental Examiner Answer that is in compliance with MPEP § 1207.02 acquiring the appropriate TC Group Director signature (Technology Center Director or designee); and
- 2) for such further action as may be appropriate.

DLP

Christopher M. Goff
Armstrong & Teasdale, LLP
One Metropolitan Sq.; Ste 600
St. Louis MO 63102